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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,418	06/21/2003	Randy D. Akins		7011

7590 06/02/2006
Randy D. Akins
P.O. Box 91680
Tucson, AZ 85752

EXAMINER

WU, XIAO MIN

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/600,418

Applicant(s)

AKINS, RANDY D.

Examiner

XIAO M. WU

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 4-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 4, the recitation of “voice recognition means”, in lines 9, and 10, respectively, should be –said voice recognition—

In claim 4, the recitation of “the viewer”, in lines 11, 14, respectively, should be –the image-viewer system--.

In claim 4, the recitation of “computer means”, line 13, should be –said computer.

In claim 4, line 13, the recitation of “display means” should be –display control means--.

In claim 5, line 2, 3, the recitation of “voice recognition” should be –said voice recognition”.

In claim 5, lines 4, 5, and 9, the recitation of “said viewer” should be –said image-viewer system.

In claim 5, lines 7-8, the recitation of “said computer means” should be –said computer”.

In claim 5, line 8, the recitation of “display means” should be –display control means--.

In claim 6, line 3,8, the recitation of display means” should be –display control means--.

In claim 6, line 4, the recitation of “said viewer screen” should –a viewer screen--.

In claim 6, line 8, the recitation of “said viewer” should be –said image-viewer system--.

In claim 7, line 2, the recitation of "said viewer" should be --said image-viewer system--.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuchiya (US patent No. 5,239,665) in view of Menard et al. (US 2004/0218732) and Argon (US Patent No. 6,055,327).

As to claim 1, Tsuchiya discloses a computerized image-viewer system for retrieving and displaying stored images and the printed page, comprising: a computer (11, Fig. 5) and computer memory (18, 25Fig. 5; 31, 32, Fig. 6) for sequentially storing images and the printed page into a sequential file system; the computer's central processing means converting the images and the printed page into a sequential file system (e.g. storing the book pages in a sequential order); and the computer for retrieval of the sequential files (e.g. book pages) from the memory and display control means (22, 23) for sequentially displaying the selected files. It is noted that Tsuchiya further teaches using a plurality buttons for advancing or reversing the book pages (see col. 4, lines 32-45).

It is noted that Tsuchiya does not specifically disclose the navigational-input buttons including colors and numbers. Menard is cited to teach a portable computer device similar to Tsuchiya. Menard further discloses a plurality of key can include both numbers and colors to distinct the functions of the keys (page 2, [0025]). It would have been obvious to one of ordinary

skill in the art to have modified Tsuchiya with the features of the keys as taught by Menard so as to distinct the function of the key in a simple way.

It is also noted that both Tsuchiya and Menard do not disclose voice recognition for sequentially advancing or reversing the display selected files. However, using voice recognition in a computer retrieval system is well known in the art such as taught by Argon (see abstract). Argon further discloses that the voice command is similar to the “forward” and “back” buttons to navigate the pages (see abstract and col. 21, lines 14-34). It would have been obvious to one of ordinary skill in the art to have modified Tsuchiya and Menard with the features of the voice recognition as taught by Argon so as to input an voice command to the computer without touching the keys.

As to claims 5 and 6, the combination of Tsuchiya, Menard and Argon would provide a voice command with visual color buttons for indicating different commands.

As to claims 7, 8, using numbers of colored buttons is considered as an obvious design choice since it would have been obvious to use more colored buttons to increase more input functions.

Response to Arguments

5. Applicant's arguments with respect to claims 5-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to XIAO M. WU whose telephone number is 571-272-7761. The examiner can normally be reached on 6:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD HJERPE, can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

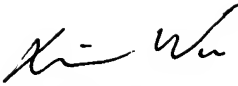
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x.w.

May 30, 2006


XIAO M. WU
Primary Examiner
Art Unit 2629